



~~EXPRESS MAIL LABEL NO.: EL 872 631 017 US~~

PATENT APPLICATION  
Docket No.: 15436.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Phillip J. Gentile

Serial No.: 09/971,970

Filed: October 4, 2001

Confirmation No.: 4553

**For:** **OPTICAL CHANNEL SELECTION AND  
EVALUATION SYSTEM**

Examiner: unassigned

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

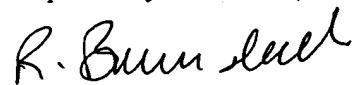
Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Dated this 31 day of July, 2002

Respectfully submitted,



R. BURNS ISRAELSEN  
Attorney for Applicant  
Registration No. 42,685



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EXPRESS MAIL LABEL NO.: EL 872 631 017 US

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- Form PTO-1449 list of seven (7) references submitted for consideration.
- Legible copies of the listed references or their relevant portions.
- All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

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- Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- Legible Copies of previously filed Information Disclosure Statement for application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- Promptness Certification.
- Check No. \_\_\_\_\_ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);
- Petition for Consideration and Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_.
- In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 30 day of July, 2002.

Respectfully submitted,



R. BURNS ISRAELSEN  
Attorney for Applicant  
Registration No. 42,685



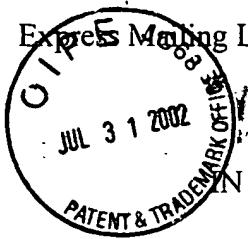
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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

"Express Mail" Mailing Label No.: EL 872 631 017 US

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on this 31 day of July, 2002:

- Transmittal Letter (2 pgs., in duplicate)
- Information Disclosure Statement (2 pgs.)
- PTO-1449 Form Listing Cited References (2 pgs.)
- Legible Copies of Seven Cited References
- Postcard

Respectfully submitted,

Dacia M. Holt  
(name of person mailing correspondence)

Dacia M. Holt  
(signature of person mailing correspondence)

RBI:dmh

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